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Federal Communications Commission
Office of Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of) EB DOCKET NO. 03-96
)
NOS COMMUNICATIONS, INC.,) File No. EB-02-TC-119
AFFINITY NETWORK INCORPORATED)
and NOSVA LIMITED PARTNERSHIP) NAL/Acct. No. 200332170003
)
Order to Show Cause and Notice of) FRN: 0004942538
Opportunity for Hearing)

To: NOSVA Limited Partnership

ENFORCEMENT BUREAU'S
FIRST INTERROGATORIES TO NOSVA LIMITED PARTNERSHIP

1. The Enforcement Bureau (the "Bureau"), pursuant to Sections 1.311 and 1.323 of the Commission's rules, 47 C.F.R. §§ 1.311 and 1.323, submits the following interrogatories to NOSVA Limited Partnership.

2. NOSVA Limited Partnership shall deliver its responses to the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 3-B443, 445 12th Street, S.W., Washington, D.C. (or at some place mutually acceptable to the Bureau and NOSVA Limited Partnership) within fourteen (14) days of the date of these interrogatories.

3. The obligation of NOSVA Limited Partnership to answer these interrogatories is continuing in nature. It has an obligation to provide in the future any and all additional responsive information that may come to its attention subsequent to its answering these interrogatories but not initially disclosed at the time, date and place set forth herein or in any supplemental answers that it submits. In this regard, it must supplement its initial and supplemental responses if it learns that, in some material respect, the responses initially provided,

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or as supplemented, were incomplete or incorrect or if additional responsive information is acquired by or has become known to it after its initial or supplemental responses.

Definitions and Instructions

a. As used herein, the term "NOSVA" means NOSVA Limited Partnership, its subsidiaries and affiliates.

b. The terms "relate to" and "relating to" mean constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or in any way is pertinent to the specified subject, including documents concerning the preparation of the documents.

c. The term "and" also means "or" and the term "or" also means "and."

d. The term "each" also means "every" and the term "every" also means "each."

e. The term "all" also means "any" and the term "any" also means "all."

f. The term "identify" when used with reference to a person or persons, means to state his or her full name; last known business and residence addresses; and last known business and residence telephone numbers.

g. The term "winback" means a common carrier's attempt to regain the business of a customer who was once a customer of that common carrier but has since chosen another common carrier as the customer's telephone service provider.

h. The term "winback call" means a common carrier's telephone solicitation of a former customer for the purpose of winning back that customer.

i. The term "winback department" means NOSVA's department, section, branch, division, unit or office, by whatever name, in which NOSVA conducts or conducted winback-related

efforts or activities.

j. The term "document" means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of NOSVA.

k. The term "discharge" means to leave the employ of NOSVA for any reason, voluntarily, involuntarily or otherwise.

l. With regard to each answer, identify the person(s) or document(s) relied upon by NOSVA in determining the substance of the answer.

Interrogatories

1. Identify all general and limited partners of NOSVA at any time during the period from December 1, 2001 to the present.

2. For each person identified in response to Interrogatory 1, specify his or her position held with NOSVA, dates of service in each position held, and the nature and extent of his or her partnership interest in NOSVA. If the person no longer a general and/or limited partner of NOSVA, specify the date and reason that the person ceased being a partner of NOSVA.

3. Identify the name of all entities under which NOSVA has done business at any time during the period from December 1, 2001 to the present. For each such entity, provide the principal place of business, telephone number, and dates of operation.

4. Describe the nature of all businesses in which NOSVA has engaged at any time during the period from December 1, 2001 to the present, and, for each such business, provide the dates of operation.

5. Identify all current and former employees of NOSVA who, at any time during the period from December 1, 2001 to the present, have been assigned to NOSVA's winback department or have engaged in winback-related activities on behalf of NOSVA.

6. For each person identified in response to Interrogatory 5, specify his or her title, position held, job responsibilities, and dates of service in such title and/or position held. If the person no longer is an employee of NOSVA, specify the date and reason the person was discharged from employment with NOSVA.

7. Identify all current and former managers and supervisors of NOSVA who, at any time during the period from December 1, 2001 to the present, have been assigned to NOSVA's winback department or have been engaged in winback-related activities on behalf of NOSVA.

8. For each person identified in response to Interrogatory 7, specify his or her title,

position held, job responsibilities, and dates of service in each position held. If the person no longer is an employee of NOSVA, specify the date and reason the person was discharged from employment with NOSVA.

9. Identify all persons who, at any time during the period from December 1, 2001 to the present, have engaged in the preparation, review, and/or approval of scripts to be used by any individuals making winback-related telephone calls on behalf of NOSVA.

10. For each person identified in response to Interrogatory 9, specify his or her title, position held, job responsibilities, and dates of service in each title and/or position held. If the person no longer is an employee of NOSVA, specify the date and reason the person was discharged from employment with NOSVA.

11. Specify the date on which NOSVA began using in its winback department the scripts referenced in Interrogatory 9.

12. Identify all persons who, at any time during the period from December 1, 2001 to the present, have used or were directed by NOSVA management to use the scripts referenced in Interrogatory 9 to make winback-related telephone calls on behalf of NOSVA.

13. For each person identified in response to Interrogatory 12, specify his or her title, position held, job responsibilities, and dates of service in each title and/or position held. If the person no longer is an employee of NOSVA, specify the date and reason the person was discharged from employment with NOSVA.

14. Identify all persons in a managerial or supervisory role who, at any time during the period from December 1, 2001, to the present, directed any NOSVA employee to use the scripts

referenced in Interrogatory 9 to make winback-related telephone calls on behalf of NOSVA.

15. For each person identified in response to Interrogatory 14, specify his or her title, position held, job responsibilities, and dates of service in each title and/or position held. If the person no longer is an employee of NOSVA, specify the date and reason the person was discharged from employment with NOSVA.

16. Identify all persons who, during the course of engaging in winback-related activities on behalf of NOSVA at any time during the period from December 1, 2001 to the present, provided false or misleading information to customers or former customers of NOSVA.

17. For each person identified in response to Interrogatory 16, specify his or her title, position held, job responsibilities, and dates of service in each title and/or position held. For each such person, identify each customer or former customer of NOSVA to whom the NOSVA employee provided false and misleading information; specify the date on which the employee provided the false or misleading information; identify the individual on behalf of the customer or former customer of NOSVA to whom the NOSVA employee provided the false and misleading information; and describe fully the nature of the false and misleading information that the NOSVA employee provided to the customer or former customer of NOSVA. If the person is no longer an employee of NOSVA, specify the date and reason the person was discharged from employment with NOSVA.

18. State the date on which, and for what reasons, Robert Faulkner was discharged as an employee of NOSVA.

19. Identify Marsha Gibbs. Specify her titles, positions held, job responsibilities, and,

for each such title and/or position, provide the dates during which she was so associated with NOSVA.

20. Identify each NOSVA employee who, at any time during the period from December 1, 2001 to the present, notified his or her superior at NOSVA that any other NOSVA employee, in the course of engaging in winback-related activities, was or might be providing false or misleading information to customers or former customers of NOSVA. For each such instance in which such notification was provided, identify each superior who was so notified.

21. For each person (employee and superior) identified in response to Interrogatory 20, specify his or her title, position held, job responsibilities, and dates of service in each title and/or position held. If the person no longer is an employee of NOSVA, specify the date and reason that the person was discharged from employment with NOSVA.

22. For each NOSVA employee identified in response to Interrogatory 20, specify the form, substance, date, and disposition of any notification provided by the NOSVA employee to his or her superior that any other NOSVA employee, in the course of engaging in winback-related activities, were or might be providing false or misleading information to customers or former customers of NOSVA.

23. Identify all current and former employees or agents of NOSVA who, at any time during the period from December 1, 2001 to the present, in connection with NOSVA's winback-related activities, communicated with any of the following former or current customers of NOSVA to discuss the customer's intention or decision to switch its telephone service from NOSVA to one or more other service providers: Advanced Tex, All Tek Transportation, Appeal

Insurance Company, Arizconsin Group, d/b/a Crandon Nursing Home, Bank of the Sierra, Becker Wagonmaster, Inc., Century 21, Associates, Chicago Title Insurance Co., EarthAction Alerts Network, Genisys Financial d/b/a Magellan Mortgage, Nelson Engineering, The Bank of Yellville, Tri-V Services, and Tideland Membership Corp.

24. For each person identified in response to Interrogatory 23, specify his or her title or position held, job responsibilities, dates of service in each title and/or position held, and with which customer or customers specified in Interrogatory 23 the person communicated. If the person is no longer an employee or agent of NOSVA, specify the date and reason the person was discharged from employment with NOSVA.

25. Identify the representative of each current or former customer of NOSVA specified in Interrogatory 23 with whom the current or former NOSVA employee or agent had the winback-related communication referenced in response to that interrogatory. Specify the date of each such communication.

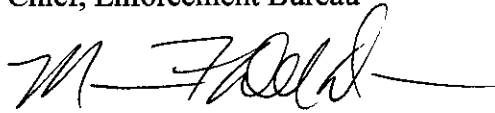
26. Identify Raymond Perea. Specify his titles, positions held, job responsibilities, and dates of service in each such title and/or position held at NOSVA. If Raymond Perea no longer is an employee of NOSVA, specify the date and reason he was discharged from employment with NOSVA.

27. Identify Regal Megret. Specify his or her titles, positions held, job responsibilities, and dates of service in each such title and/or position held at NOSVA. If Regal Megret no longer is an employee of NOSVA, specify the date and reason he or she was discharged from employment with NOSVA.

28. Identify Tim Slingerland. Specify his titles, positions held, job responsibilities, and dates of service in each such title and/or position held at NOSVA. If Tim Slingerland no longer is an employee of NOSVA, specify the date and reason he was discharged from employment with NOSVA.

29. Identify each principal of NOSVA who is represented in the above-captioned proceeding by the law firm of Kelley Drye & Warren LLP.

Respectfully submitted,
David H. Solomon
Chief, Enforcement Bureau



Maureen F. Del Duca
Chief, Investigations and Hearings Division



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Assistant Chief



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June 10, 2003

CERTIFICATE OF SERVICE

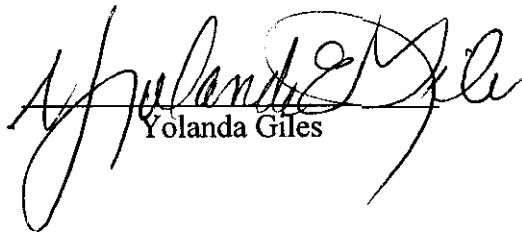
Yolanda Giles, a secretary of the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 10th day of June, 2003, sent by first class United States mail copies of the foregoing "Enforcement Bureau's First Interrogatories to NOSVA Limited Partnership" to:

*Honorable Arthur I. Steinberg
Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W., Rm. 1-C861
Washington, D.C. 20554

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Yolanda Giles

* Hand Delivered